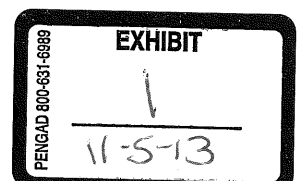


**JUDICIAL MERIT SELECTION COMMISSION
PERSONAL DATA QUESTIONNAIRE**

Court, Position, and Seat # for which you are applying:
Family Court, Ninth Judicial Circuit, Seat 5

1. NAME: The Honorable Jocelyn B. Cate
BUSINESS ADDRESS: 100 Broad Street, Suite 256
Charleston, SC 29401
TELEPHONE NUMBER: (843) 958-4406
2. Date of Birth: 1960
Place of Birth: Philippines
3. Are you a citizen of South Carolina? Yes
Have you been a resident of this state for at least the immediate past five years? Yes
5. Family Status: Married on January 21, 1982, to Ned C. Ginsburg. Never divorced; one child.
6. Have you served in the military No.
7. List each college and law school you attended, including the dates of your attendance, the degrees you received, and if you left an institution without receiving a degree, the reason for your departure.
 - (a) USC 1979-83;
Bachelor of Arts in English Literature; Magna cum laude;
 - (b) USC School of Law 1983-86; Juris doctor.
8. List the states in which you have been admitted to practice law and the year of each admission. Also list any states in which you took the bar exam but were never admitted to the practice of law. If you took the bar exam more than once in any of the states listed, please indicate the number of times you took the exam in each state.
SC – 1986. I have not taken a bar exam in any other state. I have taken the bar exam only once and passed the first time.
9. List the significant activities in which you took part during your attendance at college, graduate, and law school. Give the dates you were involved in these activities and list any leadership positions you held.
 - (a) USC
Research Assistant, Department of Psychology 1979-1983;
Gamma Beta Phi and Phi Beta Kappa;
 - (b) USC Law School:
Law Clerk at the Richland County Solicitor's Office.
10. Describe your continuing legal or judicial education during the past five years.

<u>Conference/CLE Name</u>	<u>Dates</u>
(a) Annual Judicial Conference	8/20/08;
(b) Family Court Judges Conference	4/23/08;
(c) SC Family Court Bench/Bar	12/5/08;
(d) SC Bar Convention - Family Law	1/23/09;
(e) Family Court Judges Conference	4/22/09;
(f) Annual Judicial Conference	8/19/09;
(g) Prosecuting Cases in Family Court	8/21/09;
(h) SC Family Court Bench/Bar	12/4/09;



- (i) SC Bar Convention – Family Law 1/22/10;
- (j) Family Court Judges Conference 4/22/10;
- (k) Orientation School – New Judges 6/2/10;
- (l) SCAJ Annual Convention – Family Law 8/5/10;
- (m) Annual Judicial Conference 8/18/10;
- (n) Mini Summit on Justice for Children 12/2/10;
- (o) SC Family Court Bench/Bar 12/3/10;
- (p) SC Bar Convention, video 1/21/11;
- (q) Family Court Judges Conference 6/1/11;
- (r) Orientation School – New Judges 6/8/11;
- (s) SCAJ Annual Convention – Family Law 8/4/11;
- (t) Annual Judicial Conference 8/17/11;
- (u) SC Family Court Bench/Bar 12/2/11;
- (v) S.C. Bar Convention – Family Law 1/20/12;
- (w) Family Court Judges Conference 4/18/12;
- (x) Orientation School – New Judges 5/30/12;
- (y) SCAJ Annual Convention – Family Law 8/2/12;
- (z) Annual Judicial Conference 8/12/12;
- (aa) Mandatory Family Court Judges 12/6/12;
- (bb) SC Family Court Bench/Bar 12/7/12;
- (cc) SC Bar Convention – Family Law 1/25/13.

11. Have you taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs?

Course/Lecture Name

- (a) Charleston County Bar Association “How to draft effective family court orders”;
- (b) Charleston School of Law “Pleadings and practice in family court; Being a family court judge”;
- (c) SC Bar JCLE “Juvenile drug court and panel discussion; SCTLTA judicial panel”;
- (d) Children’s Law Office “Permanency in DSS abuse/neglect cases”;
- (e) SC Fostercare Workshop, Dorchester County “DSS abuse/neglect laws”;
- (f) Pinewood Prep. School 2005 high school commencement speaker “Being a Family Court Judge”;
- (g) SC Bar Convention – Young Lawyers Division – “court appointments”;
- (h) Adjunct Professor – Webster University, “Business law I and II”;
- (i) Adjunct Professor – Limestone College, “Business law I and II”;
- (j) Guest Instructor – Trident Tech. College Paralegal Program;
- (k) Instructor – Goose Creek High School Youth Court;
- (l) Guest Instructor – law enforcement continuing education – Goose Creek Police Department and North Charleston Police Department.
- (j) Rotary Clubs – public service and volunteerism.

12. List all published books and articles you have written and give citations and the dates of publication for each. None.

13. List all courts in which you have been admitted to practice and list the dates of your admission. Give the same information for administrative bodies that require a special admission to practice.

U. S. District Court SC – September 5, 1989.

14. Describe chronologically your legal experience since graduation from law school and include a list of all law firms with which you have been associated. Describe the general character of your practice and divide it into periods with dates if its character has changed over the years.
- (a) February 1985 – April 1986
Law clerk, Fifth Judicial Circuit Solicitor's Office, Richland County. Primary responsibilities included legal research, coordinating witnesses/victims for trial, prepared indictments for presentment to Grand Jury.
 - (b) October 1986 – May 1987
Assistant Solicitor, Ninth Judicial Circuit Solicitor's Office, Berkeley County. Primary responsibilities included handling Department of Social Services abuse/neglect cases, URESA child support enforcement, prosecution of juvenile offenders and General Sessions criminal sexual conduct prosecution.
 - (c) May 1987 – September 1987
Judicial Law Clerk, Judge Lawrence E. Richter, Jr. (retired), Ninth Judicial Circuit, Charleston/Berkeley Counties. Primary responsibilities included legal research, drafting orders, reviewing proposed orders, frequent consultations with judge, scheduling pre-trial, discovery and motion hearings with attorneys.
 - (d) September 1987 – May 1988 Watson, Tiencken and West, Moncks Corner, SC. Associate Domestic relations, general civil and criminal litigation, county administrative law.
 - (e) May 1988 – January 1992 The Richter Firm, P.A. and Richter & Cate, P.A., Charleston, SC Associate. Partner/Shareholder.
Domestic relations, personal injury, insurance defense, business, banking, foreclosure and other general civil and criminal litigation. Served as special referee in several Berkeley County condemnation cases.
 - (f) January 1992 – April 1996 Jocelyn B. Cate, Attorney at Law, Charleston, SC Private general practice with primary emphasis in family court litigation.
 - (g) April 1996 – February 2002 Ninth Judicial Circuit Solicitor's Office, Berkeley County. Assistant Solicitor. Juvenile prosecution.
 - (h) February 2002 – Present Ninth Judicial Circuit, Family Court Judge, Seat 5.
15. What is your rating, if any, by any legal rating organization, such as, Best Lawyers, Chambers, Legal 500, Martindale-Hubbell, Who's Who Legal, Super Lawyers, etc.? If you are currently a member of the judiciary, list your last available rating, if any.
Last available rating in Martindale-Hubbell - BV.
22. Have you ever held judicial office?
February 2002 to June 2014. Family Court Judge, Ninth Judicial Circuit, Seat 5. Elected. Family Court is a court of limited jurisdiction. Exclusive and concurrent jurisdictions are conferred on this court by the SC General Assembly.
23. If the answer to question 22 is yes, describe or list five of your most significant orders or opinions and give the citations if they were reported. Also list citations to any appellate review of these orders or opinions.
- (a) Carpenter v. Burr, 381 S.C. 494, 673 S.E.2d 818 (S.C. App. 2009);
 - (b) SCDSS v. Doe, et. al., Unpublished Opinion No. 2007-UP-403;
 - (c) Manigault v. Manigault, Unpublished Opinion No. 2008-UP-221;
 - (d) CCDSS v. Price, Memorandum Opinion No. 2009-MO-066;

(e) Ware v. Ware, 390 S.C. 493, 702 S.E.2d 390 (Ct. App. 2010);
Opinion No. 27267 (S.C. 2013).

24. Have you ever held public office other than judicial office? Also, state whether or not you have timely filed your report with the State Ethics Commission during the period you held public office. If not, were you ever subject to a penalty?

No, I have never held public office other than my current position.

Yes, I have timely filed all annual reports with the State Ethics Commission.

25. List all employment you had while serving as a judge (whether full-time or part-time, contractual or at will, consulting or otherwise) other than elected judicial office. None.

26. Have you ever been an unsuccessful candidate for elective, judicial, or other public office?

Yes. Master-in-Equity Dorchester County – 1992.

27. Have you ever been engaged in any occupation, business, or profession other than the practice of law, teaching of law, or holding judicial or other public office?

Salesperson during high school and law school; research assistant in college.

28. Are you now an officer or director or involved in the management of any business enterprise? No.

29. A complete, current financial net worth statement was provided to the Commission.

30. Describe any financial arrangements or business relationships you have, or have had in the past, that could constitute or result in a possible conflict of interest in the position you seek. Explain how you would resolve any potential conflict of interest. None.

31. Have you ever been arrested, charged, or held by federal, state, or other law enforcement authorities for violation or for suspicion of violation of any federal law or regulation, state law or regulation, or county or municipal law, regulation, or ordinance, or any other law, including another country's law? No.

32. Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? No.

33. Has a tax lien or other collection procedure ever been instituted against you by federal, state, or local authorities? Have you ever defaulted on a student loan? Have you ever filed for bankruptcy? No.

34. Have you ever been sued, either personally or professionally, that is, have you ever been named as defendant or respondent in any court of law?

(a) Administrative Enforcement Order issued on August 27, 2007 by SCDHEC
Docket No. 07-ALJ-07-0574-CC

SCDHEC v. Ned and Jocelyn Ginsburg, married name

Consent Order of Dismissal signed by Paige J. Gossett, ALJ and filed on January 28, 2008. This action concerned a pier head which was constructed on or about 1997. We purchased the property in 2004. The administrative order cited a violation for an "unpermitted second story" onto a "fixed pier head" which we did not construct. The enforcement action was dismissed by consent without any admission.

(b) David A. Bardes, individually, as a taxpayer and as next of friend of his two minor children, D.A.B. and A.P.B. v. John Magera, Attorney for SCDSS; The State of SC; Charleston County. The Hon. Jocelyn B. Cate, et. al. C.A. No.: 2:08-487-PMD-RSC in the United States District Court for the District of SC filed September 2008. This action arose from a SC Department of Social Services Child Support Enforcement contempt proceeding against Mr. Bardes. Mr. Bardes filed this action against multiple state and county officials including three (3) family court judges.

Mr. Bardes' specific complaint against me was that I violated his constitutional rights by advising him at a hearing that there was no jury trial in family court and that my actions rose to the level of treason. This action was dismissed and Mr. Bardes appealed to the United States Court of Appeals for the Fourth Circuit, No. 09-2191. His appeal was dismissed by unpublished per curiam opinion on March 19, 2010.

- (c) Robert M. Cox and Cherie M. Cox vs. Judy McMahon, Paul Garfinkel, Jocelyn Cate, et. al. District Court, Eastern District of Virginia, Case No.: 2:21-cv-651-AWA-LRL. Fourth Circuit Court of Appeals, Case No.: 12-2528. Dismissed at Fourth Circuit – February 21, 2013. Time to appeal to Supreme Court elapsed on May 22, 2013

Robert M. Cox and Cherie M. Cox vs. Judy McMahon, Paul Garfinkel, Jocelyn Cate, et. al. District Court, Eastern District of Virginia, Case No.: 2:21-cv-689-AWA-LRL. Fourth Circuit Court of Appeals, Case No.: 13-1284. Dismissed at Fourth Circuit – April 23, 2013. Deadline to appeal to the Supreme Court is July 22, 2013.

Allegations include violating the Plaintiffs right to a jury trial and other constitutional rights.

36. Have you ever been investigated by the Department of Social Services? Has your name ever been enrolled on the Central Registry of Child Abuse and Neglect? No.
37. If you are in private practice, are you covered by malpractice insurance and, if so, how long have you carried malpractice insurance? Not applicable.
38. Are you active on or a member of a social media or Internet site or have you, to your knowledge, been featured or depicted on a social media or Internet site, such as, Facebook, LinkedIn, Twitter, etc.?
I do not personally participate in any social media except email and text. I have no knowledge of being featured or depicted on social media or other internet sites other than being included in family pictures which may be disseminated by family members through Facebook. I am aware, however, that Mr. David Bardes, see Question 34b, had set up a “blog” about me several years ago.
39. Are you now or have you ever been employed as a “lobbyist,” as defined by S.C. Code § 2-17-10(13), or have you acted in the capacity of a “lobbyist’s principal,” as defined by S.C. Code § 2-17-10(14)? No.
40. Since filing with the Commission your letter of intent to run for judicial office, have you accepted lodging, transportation, entertainment, food, meals, beverages, money, or any other thing of value as defined by S.C. Code § 2-17-10(1) from a lobbyist or lobbyist’s principal? No.
41. S.C. Code § 8-13-700 provides, in part, that “[n]o public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated.”
None against myself. I have no knowledge as to any other candidates.
42. S.C. Code § 8-13-765 provides, in part, that “[n]o person may use government personnel, equipment, materials, or an office building in an election campaign.”
None against myself. I have no knowledge as to any other candidates.

43. Itemize (by amount, type, and date) all expenditures, other than those for travel and room and board, made by you, or on your behalf in furtherance of your candidacy for the position you seek. None.
44. List the amount and recipient of all contributions made by you or on your behalf to members of the General Assembly since the announcement of your intent to seek election to a judgeship. None.
45. Have you directly or indirectly requested the pledge of any member of the General Assembly as to your election for the position for which you are being screened? Have you received the assurance of any public official or public employee that they will seek the pledge of any member of the General Assembly as to your election for the position for which you are being screened? No to all of the above.
46. Have you requested a friend or colleague to contact members of the General Assembly on your behalf? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No to all of the above.
47. Have you or has anyone acting on your behalf solicited or collected funds to aid in the promotion of your candidacy? No to all of the above.
48. Have you or has anyone acting on your behalf contacted members of the Judicial Merit Selection Commission about your candidacy or intention to become a candidate? No to all of the above.
49. List all bar associations and professional organizations of which you are a member and give the titles and dates of any offices you have held in such groups.
- (a) ABA;
 - (b) SC Bar;
 - (c) Charleston and Berkeley County Bars – chairman – family law section (1992-93); executive committee (1991-92);
 - (d) National Council of Juvenile and Family Court Judges (NCJFCJ).
50. List all civic, charitable, educational, social, and fraternal organizations of which you are or have been a member during the past five years and include any offices held in such a group, any professional honors, awards, or other forms of recognition received and not listed elsewhere. None.
51. Provide any other information that may reflect positively or negatively on your candidacy, or which you believe should be disclosed in connection with consideration of you for nomination for the position you seek.
Past commission member of the SC Supreme Court Commission on CLE and Specialization. Currently serving on the Advisory Committee on Standards of Judicial Conduct.
52. References:
- (a) Wanda Kimble
5845 Murray Drive
Hanahan, SC 29407
(843) 747-7625
 - (b) Mark Olingy
1624 Ware Bottom Lane
Mt. Pleasant, SC 29464
(843) 793-4141
 - (c) Lois Richter

791 Bradburn Drive
Mt. Pleasant, SC 29464
(843) 270-2425

(d) Gaines W. Smith, Esquire
Legare, Hare & Smith
720 St. Andrews Blvd.
Charleston, SC 29407

(e) Cynthia Legette
Bank of America
200 Meeting Street
Charleston, SC 20401

I HEREBY CERTIFY THAT MY ANSWERS ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Signature: Jocelyn B. Cate

Date: July 10, 2013

VIA EMAIL AND REGULAR MAIL

Jocelyn B. Cate
5688 Captain Kidd Road
Hollywood, SC 29449
August 27, 2013

Jane O. Shuler, Chief Counsel
Judicial Merit Selection Commission
P.O. Box 142
Columbia, SC 29202

In Re: Amendment to Question #34 - PDQ
Family Court Judge, Ninth Judicial Circuit, Seat #5

Dear Ms. Shuler:

Please include the updated information I recently received in the case referenced in subsection (c) of Question #34 on my Personal Data Questionnaire:

The appeal time has run on the case of Robert M. Cox and Cherie M. Cox vs. Judy McMahon, Paul Garfinkel, Jocelyn Cate, et. al. District Court, Eastern District of Virginia, Case No.: 2:21-cv-689-AWA-LRL, Fourth Circuit Court of Appeals, Case No.: 13-1284. This case was dismissed at the Fourth Circuit Court of Appeals on April 23, 2013.

I am copying this correspondence to my screening attorney, Emma Dean.

Sincerely yours,

Jocelyn B. Cate

cc: Emma Dean, Esquire